

December 2, 1996

Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

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DEC 9 1996

FCC MAIL ROOM

Dear Secretary,

DOCKET FILE COPY ORIGINAL

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Midwest, Wyoming.

Sincerely,



President

Windy Valley Broadcasting

c/o Magic City Media  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

307-632-4400

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

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**DEC 9 1996**

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In the matter of: )  
 )  
Amendment of Section 73.202 (b) )  
 )  
Table of Allotments )  
 )  
FM Broadcast Stations )  
 )  
(Midwest, Wyoming)

RM-\_\_\_\_\_

**PETITION FOR RULE MAKING**

In this petition, Windy Valley Broadcasting is hereby requesting to allot channel 300A (107.9 Mhz) to Midwest, Wyoming as its first local FM allotment.

**INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 300A (107.9 Mhz) to Midwest, Wyoming and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 300A to Midwest will have.

**DISCUSSION**

2. Midwest is located in central Wyoming. It is also located within Natrona County, a county of some 61,226 persons. Midwest has a population of 495 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 300A to Midwest will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Midwest is located at Casper, Wyoming. Midwest is located 50 kilometers from Midwest.

It is obvious that from the above spacing that Midwest is presently without local FM service.

4. Midwest would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 50 Kilometers of Midwest. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Midwest area of emergency conditions caused by severe weather or other health hazards.

5. Channel 300A can be allotted to Midwest and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

|         | <u>Present</u> | <u>Proposed</u> |
|---------|----------------|-----------------|
| Midwest | -----          | 300A            |

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 300A and the pertinent adjacent channels to 300A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 43 - 24 - 30", W. 106 - 16 - 30") are that of a site located within the community of Midwest. No site restriction will be required to allot channel 300A to Midwest. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Midwest. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Midwest would benefit from the allotment of channel 300A. It has also been shown that channel 300A can be allotted to Midwest and meet all rules regarding spacing from other stations. Considering these two facts, Windy Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 300A for Midwest, Wyoming , 73.202.

8. Should channel 300A be allotted to Midwest, Wyoming, I certify that I will file an application for a Construction Permit to operate an FM station for Midwest, Wyoming.

## CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: December 2, 1996

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor A. Michael, Jr.", with a stylized flourish at the end.

Victor A. Michael, Jr.  
President  
Windy Valley Broadcasting

c/o Magic City Media  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 300A6 (107.9 MHz), at N. 43 24 30, W. 106 16 30.

Searching Channel 300A6 (107.9 MHz):

| CALL | CITY         | ST | CHN | CL | S | DIST  | SEPN  | BRNG   | CLEARANCE |
|------|--------------|----|-----|----|---|-------|-------|--------|-----------|
| ALC  | Casper       | WY | 247 | A  | V | 62.5  | 10.0  | 182.9° | 52.5      |
| NEW  | Casper       | WY | 247 | A  | A | 60.1  | 10.0  | 174.4° | 50.1      |
| ALC  | Spearfish    | SD | 297 | C  | U | 221.0 | 95.0  | 62.5°  | 126.0     |
| KSLT | Spearfish    | SD | 297 | C  | L | 221.0 | 95.0  | 62.5°  | 126.0     |
| ALC  | Fort Collins | CO | 300 | C  | U | 322.5 | 226.0 | 160.0° | 96.5      |
| KPAW | Fort Collins | CO | 300 | C1 | L | 322.5 | 200.0 | 160.0° | 122.5     |

FIGURE 1  
CHANNEL STUDY  
MIDWEST, WYOMING

